

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): LexisNexis File & Serve SOP HUBER LAW FIRM 1104 Lincoln Avenue San Rafael, CA 94901 TELEPHONE NO.: 4154568500 FAX NO. (Optional): 4154568502 EMAIL ADDRESS (Optional): ATTORNEY FOR (Name): JAMES GUERIN, AN INDIVIDUAL		FOR COURT USE ONLY
UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PLAINTIFF/PETITIONER: JAMES GUERIN, AN INDIVIDUAL	CASE NUMBER: C 07 3153 EMC	Ref. No. or File No.: 15407286
DEFENDANT/RESPONDENT: SHELL VACATIONS CLUB, LLC DBA SVC- WEST L.P. DBA SHELL VACATIONS CM CORP DBA SHELL DEVELOPMENT CORP- SAN FRANCISCO AND JOHN CARTER, AN INDIVIDUAL		
PROOF OF SERVICE OF SUMMONS		

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the (specify documents):
Summons and Complaint and Jury Demand; Court Orders and Consent Papers; Adr Information
3. a. Party served (specify name of party as shown on documents served):
SVC-WEST L.P.
- b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b whom substituted service was made) (specify name and relationship to the party named in item 3a):
RHONDA MCCARTY, REGISTERED AGENT, A white female approx. 40-45 years of age 5'8"-5'10" in height weighing 160-180 lbs with blonde hair
4. Address where the party was served:
CORPORATION SERVICE COMPANY, 2730 GATEWAY OAKS Drive SUITE 100, SACRAMENTO, CA 95852
5. I served the party (check proper box)
- a. ☒ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **7/2/2007** (2) at (time): **12:53 PM**
- b. ☐ **by substituted service.** On (date): (2) at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):
- (1) ☐ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
- (2) ☐ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
- (3) ☐ **(physical address unknown)** a person of at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
- (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): from (city): or ☐ a declaration of mailing is attached.
- (5) ☐ I attach a **declaration of diligence** stating actions taken first to attempt personal service.

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- c. ☐ **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
(1) on (date): (2) from (city):
(3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgment of Receipt.*) (Code Civ. Proc., § 415.30)
(4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40)
- d. ☐ **by other means** (specify means of service and authorizing code section):
- ☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:
- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☐ as occupant
- d. ☒ On behalf of (specify): **SVC-WEST L.P.**
under the following Code of Civil Procedure section:
- | | |
|---|---|
| <input type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other |

7. **Person who served papers**
- a. Name: **CARLTON XICOTENCATL**
- b. Address: **7902 GERBER RD. PMB# 315, SACRAMENTO, CA 95828**
- c. Telephone number: **916-422-3616**
- d. The fee for service was: **\$10.00**
- e. I am:
- (1) ☐ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☒ registered California process server:
- (i) ☐ owner ☐ employee ☒ independant contractor
- (ii) ☒ Registration No.: **99-86**
- (iii) ☒ County: **SACRAMENTO**

8. ☒ **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- or
9. ☐ **I am a California sheriff or marshal and** I certify that the foregoing is true and correct.

Date: **7/4/2007**

CARLTON XICOTENCATL
(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)


(SIGNATURE)

